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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,399	02/11/2002	Evgeny I. Rivin		3984

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EXAMINER

BUTLER, DOUGLAS C

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,399

Applicant(s)

RIVIN, EVGENY I.

Examiner

Douglas C. Butler

Art Unit

3683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 15-26 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Attachment A.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on Nov. 19, 2004 has been entered.

2. There are two different claim 21's. Claims 21-25 which follow the first "claim 21" have been renumbered as claims 22-26. Note attachment A.

3. Note that in due course all claimed features such as "a thin membrane interconnecting the elements" of claim 17 must be shown pursuant 37 CFR 1.83 (a).

4. This application contains claims directed to the following patentably distinct species of the claimed invention: Species A: Figs. 3, 4, 6;

• Species B: Figs. 7-8;

Species C: Figs. 10-11;

Species D: Fig. 12

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 15 appears to be generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim

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is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

6. FR 2529979 discloses a thin membrane 5, rubber elements 3, 4 in Fig. 1.

7. See Fig. 2 of Pineau (3751024).

8. Note Fig. 1 of Riefe et al (5709605).


9. Note Fig. 1 of FR 1,352,150.

10. Fig. 6 of Gautheron (5865429) discloses preloaded rubber elements 3 between inner sleeve 20 and outer sleeve 11.

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11. Any inquiry concerning this communication should be directed to Exmr Butler at telephone number (703) 308-2575.

Butler/vs
January 27, 2005


DOUGLAS C. BUTLER
PRIMARY EXAMINER
1/29/05
AU3683

Attachment A

Serial No. 10/073,399

- 2 -

40911sh



CLAIM AMENDMENTS

- 14 (Canceled)

15. (New) A bushing, comprising:
a rigid inner sleeve having a substantially cylindrical outer surface;
a rigid outer sleeve having a substantially cylindrical inner surface spaced apart from the outer surface of the inner sleeve;
a plurality of separate, spaced-apart rubber elements disposed between the sleeves, each element having a smooth outer surface coupled to the outer surface of the inner sleeve and to the inner surface of the outer sleeve; and
wherein the elements are preloaded through compression to control the relative movement between the sleeves.

16. (New) The bushing of claim 15, wherein the elements are attached to one of the sleeves.

17. (New) The bushing of claim 15, further including a thin membrane interconnecting the elements.

18. (New) The bushing of claim 15, wherein the elements are embedded in a foam matrix.

19. (New) The bushing of claim 15, further including:
a shoe disposed between the outer sleeve and at least some of the elements; and
an actuator coupled to the outer sleeve for adjusting the level of preload compression.

20. (New) The bushing of claim 19, wherein the shoe includes a plurality of segments, each adjustable through a separate actuator.

21. (New) The bushing of claim 15, wherein:

GIFFORD, KRASS, GROH, SPRINKLE, ANDERSON & CITKOWSKI, P.C. 280 N. OLD WOODWARD AVENUE, STE. 400, BIRMINGHAM, MICHIGAN 48009-5394 (248) 647-6000

the elements have a glass transition temperature; and

the elements are precompressed and frozen below their glass transition temperature prior to insertion between the sleeves.

22

~~21.~~ (New) The bushing of claim 15, wherein the elements are of a shape that demonstrates a low stress concentration under compression.

23

22

~~22.~~ (New) The bushing of claim ~~21~~, wherein the elements are cylinders having a round or elliptical cross section.

24

22

~~23.~~ (New) The bushing of claim ~~21~~, wherein the elements are torroidal.

25

22

~~24.~~ (New) The bushing of claim ~~21~~, wherein the elements are spheres.

26

22

~~25.~~ (New) The bushing of claim ~~21~~, wherein the elements are ellipsoids.